FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE JURISDICTION

FIRST APPEAL NO. 1045 OF 2003

IN

C. A. NO. 2479 OF 2003

. . . . . .

Office notes, office Memoranda of Coram, appearances, Court;s orders or directions & Orders Registrar's orders.	:	**Court's or Judge's**

. . . . . .

Mr. Prathamesh Bhargande,i/b Mr. Anil V. Anturkar Advocate for the appellants.
Mr. Avinash B. Avhad Advocate for Respondent 1.

CORAM : SMT. RANJANA DESAI &
V. K. TAHILRAMANI, JJ.

DATE : 13TH OCTOBER, 2006.

P.C.

1. The learned counsel for the appellants says that no relief is claimed against respondent 2 and hence he seeks permission to delete the name of respondent 2. The request is allowed and the name of respondent 2 is allowed to be deleted at the risk of the appellants. We

note that, the appellant 1-b is present in the court. Respondent 1- Ashok Rekhi was present in the court on the last occasion and he had agreed to the present consent terms. However, since he is admitted in the hospital, he is not present today.

2. Consent terms duly signed by the appellants and the respondent and their respective advocates are taken on record and marked “X”. The undertakings contained in the consent terms are accepted by this Court. Order in terms of the Consent Terms, First appeal is disposed of in terms of the consent terms. In case, there is any default as regards any of the agreed terms, the present order shall stand set aside and the first appeal will be revived.

3. Appellant 1-b is permitted to withdraw a sum of Rs. 1,10,000/- which is deposited with the receiver. The receiver shall allow him to withdraw the same amount without any security. The remaining amount can be withdrawn by him on 30th

November, 2006.

4. Needless to say that in view of the disposal of the First Appeal, the Civil Application also stands disposed of.